

**YOLANDA ALPOUGH 600-2  
STEPHANIE HAMMON 600-2**

**CAUSE NO. \_\_\_\_\_**

**IN THE INTEREST OF**

**ELISHA ALLEN  
KATELYN ALLEN**

**CHILDREN**

**IN THE DISTRICT COURT OF**

**HARRIS COUNTY, TEXAS**

**JUDICIAL FAMILY/JUVENILE DISTRICT**

**AFFIDAVIT**

**STATE OF TEXAS  
COUNTY OF HARRIS**

**BEFORE ME, the undersigned authority, personally appeared YOLANDA ALPOUGH, who was sworn by me and deposed as follows:**

"My name is YOLANDA ALPOUGH. I am of sound mind and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

**1. Information to be Submitted to the Court Pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act**

"The present placement of ELISHA ALLEN, the subject of this suit is: **SUBSTITUTE CARE**.

The present placement of KATELYN ALLEN, the subject of this suit is: **SUBSTITUTE CARE**.

At this time, all the places where the children have lived during the last five years and all the names and present addresses of the persons with whom the children have lived during the period are currently not reasonably ascertainable. The Department will continue their investigation and attempt to discover the information.

To the best of my knowledge, the Department:

Has not participated in any capacity in any other litigation concerning the custody of the children in this or any other state;

Does not have information of any proceeding concerning the children pending in a court of this or any other state;

Does not know of any person not a party to the proceedings who has physical custody of the children or who claims to have custody or visitation rights with respect to the children."

**2. Interstate Compact on the Placement of Children**

"At the time of the filing of this petition, an interstate placement is not planned, but the Department of Family and Protective Services will comply with all requirements of the Interstate Compact on the Placement of Children as set forth in Chapter 162, Subchapter B, Texas Family Code.

**3. Facts Necessitating Removal of the Children**

"I have made reasonable efforts under the circumstances to prevent removal of the child but considering the immediate needs to protect the child, removal of the child is necessary."

On August 23, 2009, the Department of Family and Protective Services, (DFPS), received a report of suspected sexual abuse and drug abuse by Renesha Allen (dob: 12/12/84), and mother of two children, Elisha Allen (dob: 02/19/2005) and Katelyn Allen, (dob: 12/08/2006). The report stated that the grandmother went to the home and the mother had a paramour in the home and there was a prominent smell of marijuana. There were allegations that Renesha Allen began using drugs again soon after she completed her drug treatment program in August 2007. The report stated that Renesha Allen has men in and out of the home which exposes the children to danger. The report also alleged sexual abuse in that Katelyn, 2 years old, is aggressive with men by going up to them and trying to sit on their penises. The referral alleged that mom's paramour touched Katelyn's chest and pulled her to his crotch. The report stated that Renesha Allen has been leaving the children with different people. There were allegations that the children have been seen with bruises.

I addressed the allegations of drug use with Renesha Allen who denied using any form of drugs. I explained that due to her prior drug history we would be requesting that she take a drug test. Renesha Allen asked if she could wait until next week to take the test. I explained that I needed her to take the drug test within a couple of days. Ms. Renesha Allen said she didn't want to take off from work. I reminded her that she had to take the drug test by the end of the week.

On October 23, 2009, Renesha Allen took the drug test at Harris County Clinic and it was positive for cocaine. I tried to contact Ms. Allen. Initially, her cell phone was disconnected and then after being reconnected, I left several messages which were not returned. I went to the apartment several times finally finding out that Ms. Allen had moved. I was unable to locate a forwarding address for Ms. Allen.

I went to the address of the maternal grandmother, Teresa Allen, and left a card. Approximately two weeks passed before I was able to locate Renesha Allen through the maternal grandmother, Teresa Allen.

On November 18, 2009, I spoke with Teresa Allen by phone and she told me that she has had the children with her since I first went by the apartment. She said her daughter told her I came by and that she needed her, Teresa Allen, to keep the children because DFPS was looking for them. Teresa Allen said her daughter told her that she was not going to

take the drug test for three days so she could take something to clean out her system. Teresa Allen said her daughter was also evicted from her apartment and that she was hiding her truck from the repo people. Teresa Allen alleged that there are multiple men around the children. She alleged that she has seen Elisha, 4 years old, with a busted lip and Renesha Allen admitted to (popping him) in the mouth. Teresa Allen alleged that Renesha Allen sells drugs and her food stamps to get cash to get drugs. Teresa Allen alleged that men in her daughter's life have told her that they bet on who would get Renesha's government check each month. I asked Teresa Allen if she knew I was looking for the children the three weeks that she had them and why didn't she call me. Teresa Allen then changed what she had previously told me and said that she did not really know I was looking for the children until I called her. Teresa Allen said she did not call me because they were safe with her. Teresa Allen says she does not want her grandchildren in the system. Ms. Allen said she's had a bad experience with DFPS before because they gave the kids back to her daughter Renesha Allen. I explained that her daughter completed drug rehab. She said her daughter does not take care of the children as she should. She does not take them to the doctor for their shots, she does. Teresa Allen asked what she could do to get her grandchildren. I explained that her daughter, Renesha Allen, had told me that she did not want her children with her. I explained that her daughter said that she did not want her to take the children with her to rehab and tried to interfere with her going to DAPA meetings. Renesha Allen alleged that Teresa Allen wanted the children for money and housing.

On November 20, 2009, Renesha Allen contacted me and said that she wanted her children to go with her mother, Teresa Allen. Renesha Allen said that Teresa Allen did not handle the situation with Teresa Allen's ex-husband when Renesha Allen told Teresa Allen that he tried to touch her, but she feels her children will be safer with family than in foster care. These comments and statements are in total conflict with what Teresa Allen had told me. Teresa Allen denied every knowing about any allegations of sexual abuse by her ex-husband until Renesha Allen was grown and out of the home. Renesha Allen said that her mother is her trigger for drug use. She said she is afraid to tell her that she is. Renesha Allen said her mother has almost caused her to lose her job by causing problems and chaos by coming to her job repeatedly. She said her mother causes problems for her everywhere she goes.

Renesha Allen's prior CPS history includes neglectful supervision and physical abuse in March 2006. The referral alleged that Ms. Allen was selling and abusing drugs in the presence of her son Elisha. The referral also alleged that Renesha Allen was prostituting herself while her son was present. Additionally, the referral stated that Elisha had visible signs of abuse. At that time, Renesha Allen denied all the allegations. Renesha Allen alleged that Teresa Allen had called in the case and she had to quit her job due to the allegations of physical abuse to her son. Teresa Allen makes comments of neglectful supervision and physical abuse, but she has repeatedly returned the children to the mother or hides the children from DFPS. That case was ruled out.

On August 7, 2007, another referral was received of sexual abuse, physical abuse and neglectful supervision. It was alleged that Elisha would try to do sex acts when the grandmother tried to change him. It was alleged that her daughter would watch

pornographic tapes with Elisha and Katelyn in the room. The referral also alleged that Renesha Allen would leave the children alone after they fell asleep and she would go prostitute. The referral alleged that Elisha beats his head on the floor and it is believed that he may be autistic since he cannot speak. The grandmother called stating the daughter's whereabouts were unknown. The referral stated that in June 2007 Elisha had a huge mark to his face and it looked like someone had hit him with brush. There were also allegations of no water, electricity and fights and drugs in the apartment that caused Ms. Renesha Allen to be evicted.

On September 27, 2007, the agency offered Renesha Allen family preservation. Ms. Allen completed drug treatment with her children in the rehab center. She transitioned out of the center into her own apartment and took her children with her. Prior to that, the children had been with the maternal grandmother, Teresa Allen, who did not want the children to go with their mom into rehab. Renesha Allen said that she was getting money from the state to care for her mother, \$300.00 every two weeks, and that the money would no longer be going to Teresa Allen if she and her children left Teresa Allen's home. Renesha Allen has alleged physical abuse by her mother, Teresa Allen over the years. There were allegations that Teresa Allen is bi polar and schizophrenic but she does not take her medication. In 2007, CPS spoke with other family members who confirmed that Teresa Allen suffers from bi polar disorder and schizophrenia but is not on medication. Per family members, the fact that Teresa Allen is supposed to be on medication is what was used to secure the money from the State for her daughter Renesha Allen to care for her.

Elisha and Katelyn Allen are currently in foster care. They were not placed with Teresa Allen due to her own admission of abuse and/or neglect and she either left the children in the environment or hid them. In addition, there are questions regarding Teresa Allen's mental health for which she is not on medication for.

Due to all of the foregoing, including Renesha Allen's drug history and testing positive for cocaine in October and her inability to sustain safe and stable housing and environment for her children, the Texas Department of Family and Protective Services is seeking to be named managing conservatorship of Elisha and Katelyn Allen.

/S/ Yolanda Alpough  
Yolanda Alpough

SIGNED under oath before me on the 7th day of December, 2009.

/S/ René Brevard  
Notary Public in and for the State of Texas

My commission expires: October 9, 2010

THIS PAGE WITH ORIGINAL SIGNATURES AND NOTARY STAMP  
IS MAINTAINED IN THE PETITIONER / MOVANT'S LEGAL FILE